

SERVED : August 13, 1993

NTSB Order No. EA-3965

UNITED STATES OF AMERICA
NATIONAL TRANSPORTATION SAFETY BOARD
WASHINGTON, D.C.

Adopted by the NATIONAL TRANSPORTATION SAFETY BOARD
at its office in Washington, D.C.
on the 9th day of August, 1993

JOSEPH M. DEL BALZO,
Acting Administrator,
Federal Aviation Administration,

Complainant,

Docket SE-12728

v.

ALLEN S. KENNEDY,

Respondent.

ORDER DISMISSING APPEAL

On April 22, 1993, the respondent filed a notice of appeal from the oral initial decision rendered by Administrative Law Judge William E. Fowler, Jr. on April 15, 1993.¹ However, the respondent has failed to file an appeal brief and, therefore, his

¹The law judge affirmed an order of the Administrator suspending respondent's airline transport pilot certificate (No. 566960858) for 30 days for his alleged violations of sections 91.129(h) and 91.13(a) of the Federal Aviation Regulations.

appeal is subject to dismissal under section 821.48(a) of the Board's Rules of Practice.² 49 CFR 821.

ACCORDINGLY, IT IS ORDERED TEAT:

The respondent's appeal is dismissed.

VOGT , Chairman, COUGHLIN, Vice Chairman, LAUBER, HART, and HAMMERSCHMIDT, Members of the Board, concurred in the above order.

²Section 821.48(a) provides as follows:

"§ 821.48 Briefs and oral argument.

(a) Appeal briefs. Each appeal must be perfected within 50 days after an oral initial decision has been rendered, or 30 days after service of a written initial decision, by filing with the Board and serving on the other party a brief in support of the appeal. Appeals may be dismissed by the Board on its own initiative or on motion of the other party, in cases where a party who has filed a notice of appeal fails to perfect his appeal by filing a timely brief."